

**JURISDICTION:**

General Reference:

**PENNSYLVANIA**

This chapter summarizes Pennsylvania State statutes related to speed.  
Pennsylvania Statutes Annotated

**Basis for a Speed Law Violation:**

Basic Speed Rule:

No person shall drive vehicle at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. Title 75, 3361

Statutory Speed Limit:  
See Other below.

65 MPH on certain interstate highways and freeways<sup>1</sup> Title 75, 3362(a)(1.1)  
55 MPH on other highways Title 75, 3362(a)(2)  
35 MPH in urban districts Title 75, 3362(a)(1)  
15 MPH in a school zone Title 75, 3365(b)

Posted (Maximum) Speed Limit:

Based on engineering and traffic investigations, the State or a local government on highways under their jurisdictions may increase or decrease the above speed limits on the highways under their jurisdiction.<sup>2</sup> Such speed limits "may vary for different weather conditions and other factors bearing on safe speeds." Title 75, 3362(a)(3) & 3363 Note: Pennsylvania law does not specifically state whether different highway speed limits may be established either for different types of vehicles or for different times of the day.

Minimum Speed Limit:

I. No person shall drive a motor vehicle at such a slow speed as to impede the normal and reasonable movement of traffic. Title 75, 3364(a)  
II. A person, driving at less than the normal speed of traffic, shall drive in the right-hand lane then available for traffic or as close as practicable to the right-hand curb or edge of the roadway. Title 75, 3301(b)

Posted (Minimum) Speed Limit:

Based on engineering and traffic investigations, the State or a local government may establish minimum speed limits on the highways under their jurisdiction. Title 75, 3364(c)

Other:

I. Based on engineering and traffic investigations, the State or a local government may establish maximum safe speed limits for bridges and elevated structures under their jurisdiction. Title 75, 3365(a)  
II. Based on engineering and traffic investigations, the State or a local government may establish a maximum safe speed for certain heavy vehicles when traveling upon certain hazardous grades. Title 75, 3365(c)

**Adjudication of Speed Law Violations:**

Civil/Criminal Adjudication of Violation:

All Speed Law Violations are Summary Offenses. Title 75, 3362(c), 3365(d) & 6502(a)

**Adjudication of Speed Law Violations:**  
(continued)

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<sup>1</sup>his speed limit applies only on interstate highways outside of urbanized areas with a population  $\geq 50,000$  and freeways where the State has posted such a speed limit. 3362(a)(1.1)(i) & (ii)

However, a maximum speed limit so established cannot exceed (1) the statutory 65 MPH speed limit for certain interstate highways and freeways or (2) 55 MPH for other highways. Title 75, 3363

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Other:

### Sanctions Following an Adjudication of a Speed Law Violation:

#### Criminal Sanctions:

##### Imprisonment:

Term (Day, Month, Years,

Etc.):

**None**

##### Mandatory Minimum Term:

##### Fine:

Amount (\$ Range):

Except for the Offenses Indicted-\$25<sup>3</sup> Title 75, 6502(a)  
Exceeding the Maximum or Posted Maximum Speed Limit-I. \$42.50  
 for exceeding 65 MPH<sup>4</sup> II. **\$35** for other speeding violations<sup>4</sup> Title  
 75, 3362(c)(i) & (ii)  
Exceeding the Maximum Speed Limit for Bridges, School Zones &  
Hazardous Grades-\$35<sup>4</sup> Title 75, 3365(d)  
**None**

Mandatory Min. Fine (\$):

#### Other Penalties:

##### Traffic School:

For either a 1st or 2nd accumulation of 6 points on their driving record, an offender shall either be required to attend Drive Improvement School or under go a driver license examination. Title 75, 1538(a) & 1549(a)

##### Other:

**Surcharges.** I. Except as noted, an offender is assessed a mandatory surcharge of **\$30** for speeding violations. Title 75, 6505(a)(1)  
 II. For exceeding the maximum or posted maximum speed limit, an offender is assessed mandatory surcharges from **\$30 to \$50.**<sup>5</sup> Title 75, 6506(a)(4)

#### Licensing Action:

##### Type of Licensing Action

(Susp/Rev):

**Suspension** via a Point System<sup>6</sup> Title 75, 1535, 1538 & 1539

This fine applies to violations of the Basic Speed Rule, the Minimum Speed Rule and Posted Minimum Speed Limits.

Plus an additional **\$2** for every MPH in excess of 5 MPH over the speed limit. Title 75, 3362(c)(2) & 3365(d)

A surcharge of \$30 is assessed for exceeding the speed limit by either 6 to 10 MPH or 11 to 15 MPH. A surcharge of \$40 is assessed for exceeding the speed limit by 16 to 20 MPH. And, a surcharge of \$50 is assessed for exceeding the speed limit by ≥26 MPH. Title 75, 6506(a)(4)(i), (ii) & (iii)

**Point System.** I. When an offender's point accumulation is reduced below 6 and they again accumulate 6 points for the second time, they are subject to a suspension of ≤30 days. Title 75, 1538(b) II. When an offender's point accumulation is reduced below 6 and they again accumulate 6 points for the third time, they are subject to a suspension of ≤30 days. Title 75, 1538(c) III. When an offender has accumulated 11 points or more, they are subject to license suspension as follows: If this is a 1st suspension, 5 days suspension for each point; if this is a 2nd suspension, 10 days suspension for each point; if this is a 3rd suspension, 15 days suspension for each point; and if this is a subsequent suspension, a 1 year suspension. Title 75, 1539(a) & (b) IV. The following points have been assigned to speeding and speed related violations: Basic Speed Violation-2 points; careless driving-3 points; exceeding the maximum or posted maximum speed limit by 6 to 10 MPH-2 points; exceeding the maximum or posted maximum speed limit by 11 to 15 MPH-3 points; exceeding the maximum or posted maximum speed limit by 16 to 25 MPH-4 points; exceeding the maximum or posted maximum speed limit by 26 to 30 MPH-5 points; and, exceeding the maximum or posted maximum speed limit by 31 MPH-5 points. Title 75, 1535(a) Note: The rule does not include points for driving less than the normal speed of traffic and not driving in the right lane.

**Drivers Under 18 Years Old.** A driver <18 years old is subject to the following additional license suspensions if they either (1) drive ≥26 MPH over the posted speed limit or accumulate 6 or more points before reaching 18 years old. A 1st suspension is for 90 days and any subsequent suspension is for 120 days. Suspensions shall be imposed consecutively to each other and to any other suspension. In addition, a suspension shall be considered a subsequent suspension even if it is imposed contemporaneously with a suspension under this section. Title 75, 1538(e)

**or Drivers.** Under separate provisions of law, a junior driver (a licensee 16 or 17 yrs old) is subject a suspension of their driving privileges until they are 18 years old

Sanctions Following an Adjudication of a Speed law Violation:  
(continued)

Term of License Withdrawal  
(Days, Months, Years, etc.):  
Mandatory Minimum Term of  
Withdrawal:

Not more than **1 year**<sup>6</sup> Title 75, 1539

Miscellaneous Sanctions  
Not Included Elsewhere:

**None** An offender is eligible for an occupational limited license. Title 75, 1553

**Double Fines.** for a violation of either the Basic Speed Rule (Title 75, 3361) or Maximum or Posted Maximum Speed Limits (Title 75, 3362) in either a construction or maintenance area manned by workers acting in their official capacity, the fines are double the usual amount. Title 75, 3326(c)

**Excessive Speeding.** An offender, who has been convicted of exceeding the maximum or posted maximum speed limit by ≥31 MPH, is subject to one or more of the following sanctions: (1) Driver improvement school; (2) an license examination or (3) license suspension for ≤15 days. Title 75, 1538(d)

Other Criminal Actions Related to Speeding:

Racing on Highway:

Summary Offense Title 75, 3367(b) & (d)

Sanctions:

Criminal Sanction:

Imprisonment (Term):

1st offense-**None** Subsequent offense-Not more than **6 months** Title 75, 6503

Mandatory Minimum Term:

**None**

Fine (\$ Range):

1st offense-**\$200** Title 75, 3367(d) Subsequent offense-**\$200 to \$1,000** Title 75, 6503

Mandatory Minimum Fine:

**None**

Administrative Licensing Action:

See **Junior Drivers** under Footnote No. 6.

Licensing Authorized and

Type of Action:

**Suspension** Title 75, 1532(b)

Length of Term of

Licensing Withdrawal:

**6 months** Title 75, 1532(b)

Other Criminal Actions Related to Speeding:  
(continued)

Racing on Highway: (continued)

Mandatory Action--Minimum

Length of License

Withdrawal:

**6 months** Title 75, 1532(b) Note: An offender is not eligible for occupational driving privileges. Title 75, 1553(d)(11)

Other:

**Surcharge.** An offender is assessed a mandatory surcharge of **\$30**. Title 75, 6505(a)(1)

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period not to exceed 90 days if they are convicted of **any** violation of Title 75. This licensing action is in addition to any other licensing action. Title 75, 1503(c)

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<u>Reckless Driving:</u> Sanction: Criminal: Imprisonment (Term): Mandatory Minimum Term of Imprisonment: Fine (\$ Range): Mandatory Minimum Fine:	Summary Offense Title 75, 3736(a) & (b)  <b>None</b>  <b>\$200</b> Title 75, 3736(b) <b>None</b>
Administrative Licensing Actions: Type of Licensing Action (Susp/Rev): Length of Term of License Withdrawal Action: Mandatory Term of License Withdrawal Action:	See <b>Junior Drivers</b> under Footnote No. 6.  <b>Suspension</b> Title 75, 1532(b)  <b>6 months</b> Title 75, 1532(b)  <b>6 months</b> Title 75, 1532(b) Note: An offender is not eligible for occupational driving privileges. Title 75, 1553(d)(11)
Other:	<b>Surcharge.</b> An offender is assessed a mandatory surcharge of <b>\$30</b> . Title 75, 6505(a)(1) <b>Double Fines.</b> for a reckless driving offense that was committed in either a construction or maintenance area manned by workers acting in their official capacity, the fines are double the usual amount. Title 75, 3326(c)
<u>Careless Driving</u> <sup>7</sup> : Sanction: Criminal: Imprisonment (Term): Mandatory Minimum Term of Imprisonment: Fine (\$ Range): Mandatory Minimum Fine:	Summary Offense Title 75, 3714  <b>None</b>  <b>\$25</b> Title 75, 6502 <b>None</b>
Administrative Licensing Actions: Type of Licensing Action (Susp/Rev): Length of Term of License Withdrawal Action:	<b>Suspension</b> via a Point System <sup>6</sup> Title 75, 1535, 1538 & 1539  <b>55 days to 1 year</b> <sup>6</sup> Title 75, 1539
<u>Other Criminal Actions Related to Speeding:</u> (continued)	
<u>Careless Driving:</u> (continued) Mandatory Term of License Withdrawal Action:	<b>None</b> An offender is eligible for an occupational limited license. Title 75, 1553
Other:	<b>Surcharge.</b> An offender is assessed a mandatory surcharge of <b>\$30</b> . Title 75, 6505(a)(1) <b>Double Fines.</b> For a careless driving offense that was committed in

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Careless driving" is defined as driving "a vehicle in careless disregard for the safety or persons or property." Title 75, 3714

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either a construction or maintenance area manned by workers acting in their official capacity, the fines are double the usual amount. Title 75, 3326(c)

### Commercial Motor Vehicle (CMV) Operators<sup>8</sup> :

#### Grounds for Disqualification:

A person is disqualified from operating a CMV if while driving such a vehicle they either (1) commit 2 "serious traffic violations"<sup>9</sup> within a 3 year period or (2) commit 3 such violations within a 3 year period. Title 75, 1611(D)

#### Period of Disqualification:

2 serious violations (within 3 years)-**60 days** 3 serious violations (within 3 years)-**120 days** Title 75, 1611(D)

#### Period of Mandatory Disqualification:

2 serious violations (within 3 years)-**60 days** 3 serious violations (within 3 years)-**120 days** Title 75, 1611(D)

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<sup>8</sup> A person who has obtained a commercial driver's license (CDL) and is qualified to operate a commercial motor vehicle. A commercial motor vehicle is defined as a vehicle designed to carry either passengers or property and either has a gross vehicle weight of  $\geq 26,001$  lbs., is designed to transport 16 or more persons, or is transporting hazardous materials which requires that the vehicle to be placarded in accordance State regulations. Title 75, 1603

<sup>9</sup> A "serious traffic violation" includes exceeding the speed limit by 15 or more MPH or reckless driving. Title 75, 1603 & 49 CFR 383.5

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